

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CRIMINAL ACTION NO. B-09-1229
	§	
DANIEL GUTIERREZ-CASTELLANOS	§	

**ORDER**

BE IT REMEMBERED on this 25<sup>th</sup> day of January, 2010, the Court reviewed the file in the above-captioned matter and specifically the Report and Recommendation of the United States Magistrate Judge filed October 20, 2009, wherein the defendant Daniel Gutierrez-Castellanos waived appearance before this Court and appeared before the United States Magistrate Judge Felix Recio for the taking of a felony guilty plea and Federal Rule of Criminal Procedure Rule 11 Allocution. The Magistrate Judge recommends that the plea of guilty be accepted by the undersigned, and noting no opposition by defendant Daniel Gutierrez-Castellanos to the Report and Recommendation, the Court enters the following order:

IT IS ORDERED that the Report and Recommendation of the United States Magistrate Judge is hereby adopted. The Court finds the defendant Daniel Gutierrez-Castellanos guilty of the offense of alien unlawfully being present in the United States after having been convicted of a felony and deported, in violation of 8 U.S.C. 1326(a) and 1326(b)(1).

Signed this 25<sup>th</sup> day of January, 2010.



Andrew S. Hanen  
United States District Judge